*Previous references.*

1151-5-4
do ..

**File No.** 165
—— 04

**1904**

(Local Bds)

*Later references.*

42—1904

Seen 29-11-04

# GENERAL AND REVENUE SECRETARIAT.

## Serial Nos. 162

## PART B FOR Nov. 1904

SUBJECT.

Legality or otherwise of retaining Mr. Govindachar, late Executive Engineer, as a member of the Mysore Dist. Bd.

FILE No. 165 of 1904-05.

*Legality or otherwise of retaining Mr. Govindachar, late Executive Engineer, as a member of the Mysore District Board.*

1 From the President of the District Board of the Mysore District, No. 230, dated 26th September 1904.
With reference to this office No. 1511-5-4—G. R., dated 16th September 1904, and para 11 (iii) of the Local Boards Rules, requests to be informed as to the legality or otherwise of retaining Mr. Govindachar, late Executive Engineer, as a member on the Mysore District Board.

2 To the Compiler, *Mysore Gazette*, No. 4160, dated 19th November 1904.
Forwards notification cancelling the appointment of Mr. Govindachar, as a District Board Member, for publication.

G. R. S. 58. Endorsement to the President of the District Board of the Mysore District, No. 4161, dated 19th November 1904.
Forwards copy of Serial No. 2.

1511-5-4—G. R., 16th Sept. 1904.
230—L. F. 79-03, dated 19th Jan. 1904.

G. R. S. 11] 1904-05

GENERAL AND REVENUE SECRETARIAT.

(L. B.)

NOTES.

165
04-05
File No.

FILE HEADING.

Removal of Mr. Govindachar late Executive Engineer from membership on the Mysore Dtt. Bd

From

The President of the Dtt. Bd of the Mysore Dtt.

No. 230 Dated 26.9.04 Received 27.9.04.

| Diary No. 2138 | Enclos. | Spare Copies. | Serial No. 1 |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER.

Z With reference to this office no 1511-5-4 G.R. dy 16.9.04 and para 16 (iii) of the L. B. Rules requests to be informed as to whether Mr Govindachar, late Executive Engineer appointed as a non-official member of the Mysore Dtt Bd may be allowed to continue as such.

NOTES AND ORDERS.

On the recommendation of the then Dy Comr of the Mysore Dtt (the present Secretary), the late Executive Engineer, Mr Govindacharlu was appointed as a non official member of the Distt Bd. (Vide 2630 L.7.79.03 dy 19.1.04)

F. Copy 9

Notes—First sheet.

MGCPB-25,000-18-8-04

Serial No.

Page X

Z

2. While accepting his nomination the I Councillor remarked "I hope he will emerge from his seclusion and take an active part in L. G. matters".

3. As in ~~G. P. Misc~~ this office No 1511-5-4 G. R. dy 16.9.04, Dar Govindacharlu was declared ineligible to be a representative of the Tyadungiri Sadananda Vardhini Sabha of Melkote for the Representative Assembly owing to his having been dismissed from service, the President requests orders as to whether the gentleman is to be retained as a member on the Board in contravention to para 16 (iii) of the L. B. Rules which lays down that "no person shall be eligible for election or appointment as a member of a Local Board who has been dismissed for misconduct from Govt Service".

4. Submitted for orders as to whether, after the appointment having been proposed and sanctioned by Govt., and the member having been allowed to serve on the

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

Serial No.

for the last 12 months

Board, the Govt can remove the
except on grounds specified in para clause (i)
19 of the Local Boards Rules, which
runs as follows:

"(1) The Govt may, by notification
remove any vice President, Chairman
or member of a Local Board other
than an ex-officio member —

(i) if he is absent for more than
six consecutive months from the
local area over which such Board
has authority, or refuses to act
or becomes incapable of acting; or
is declared insolvent, or is convicted
of any such offence, or subjected
by a criminal Court to any such
order, as implies in the opinion
of Govt a defect of character
which unfits him to be Vice
President, Chairman, or member of
a Local Board;

(ii) if he without sufficient excuse
in the opinion of Govt, neglects to be
present at more than 3 consecutive
meetings of the Local Board;

(iii) if his continuance in office is
in the opinion of Govt dangerous



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Serial No.

to public peace or order or likely to bring the administration of the Local Board into Contempt;

(iv) on the occurrence of any other circumstance, which, if it had existed prior to the commencement of his term of office, would have disqualified him for election or appointment.

G. Ramaiya

5 It is a fact that when I recommended him I did not know that Rao Govindacharlu was dismissed from official. Otherwise I would not have recommended him. As he was getting pension I thought that he was a pensioner. May he be retained as he has been appointed? Submitted to the Dewan Sahib thro' the 1st Councillor.

27-10-1904

889 27-10-04 Despatch.

6 The appointment was made under a misapprehension and is, from a legal point of view, void ab initio. It is thus not a question of removal but of cancellation

Serial No.

To make of the Notification of 19/11/04 as concerns the abbreviation of Mr Govindachariar has to be cancelled No other course consistent with the Rules which have the force of law, seems feasible — U

28/10/04.

PMO 29.10.1904

2427 29.10.04 / 2548

I Minute Assent is correct & must be followed.

7.XI.04

Draft read & 10.11.1904

Draft submitted 9.9 11/11/04 Passed 16.11.1904

2. Secy 4160 Dy 19.11.04. To the Compiler. Forwards notification cancelling the appointment of Mr Govindachariar as a Dtt Bd member, for publication.

Secy 4161 Dy 19.11.04. To the Press of the Dtt Bd. Forwards copy of Ll Secy 2



MGCPB—10,500—31-8-04.

1904-05

From
M. Kantaraj Urs Esq: B.A.,
President of the District Board
Mysore District

To
B. K. Venkataranda Iyengar Esq:
Secretary to the Government of Mysore
in the Revenue & General depts:

Dated 24th September 1904
Despatched
Received
General No. 230
No.

Enclosure No.

Requested to be informed whether Mr. Govindachar is to be retained as a member in the District Board.

R.C.M

No 230

Q2138

Deputy Commissioner's Office

Local Boards branch

Dated, Mysore 26 September 1904

From.

M. Kantaraja Urs Esq: B.A.

President of the District Board

Mysore District

To

B. H. Venkatavarada Iyengar Esq:

Secretary to the Government of Mysore

in the Revenue & General departments.

Sir:-

With reference to your docket no: —

G 1511-5-4/G.R. of the 16th September 1904, stating that Mr. A. Govinda Charlu, though in receipt of a compassionate allowance is still a dismissed official and so is ineligible to be member of the Dasara Representative Assembly, I have the honor to state that a separate reference has this day been made to you, intimating that Yadugiri Sadananda Vardhini Sabha has elected a separate member in place of Mr. A. Govindacharlu.

Dlg 3 in General Boards file on Schools

In

— in this connection, I beg to invite your kind attention to Government Notification no: 2630 L.T. 79-03 of the 19th January 1904, in which his nomination as a member of the District Board of this district has been approved; and in light of the view now taken by Government, I request to be informed whether he may be allowed to continue as a member, in contravention of para 16 (iii) of the Rules under the Local Boards Regulation II of 1902.

I have the honor to be,
Sir,
Your most obedient Servant

The President

NB

G.R.S. 28]

165
Ow 05

**File No.**

**Serial No. 2**

*Diary No. of letter replied to* 2138

Notification 4160-165-2
~~*Proceedings*~~ *of the Government of His Highness the Maharaja of Mysore.*
19/11/04

GENERAL AND REVENUE SECRETARIAT.
( L.63 )

, *the* 190

Date of issue 19/11/04

Signed by Jn B.K. Venkatavaradu
Asstt Secy

~~Read~~ ~~It is hereby notified~~
~~that~~ So much of ~~the~~
notification no 2630 L.779-03 dt
the 19th January 1904, as
concerns the appointment
of Mr. Govindachar, late
Executive Engineer, as a

ORDER THEREON.—No.

member of the District
Board of the Mysore district
is hereby cancelled.

By order
for
16.11.1904
Secretary

SUBJECT

JB 12/11/04 19/11/04

Cancel the appt of Mr Govindachar as a
Dtt Bd member, Mysore Dte

P.T.O

MGCPB—5,000—24-6-04
Rev.